



U.S. Department of Justice

Environment and Natural Resources Division

33-40-210-07149

Land Acquisition Section
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Washington, DC 20044

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May 26, 2006

via Email and Federal Express

David A. Vidrine, Esq.
625 Baronne St.
New Orleans, LA 70113
(504) 569-0661

Re: United States v. 33.92356 Acres of Land and Juan Piza-Blondet, et al.,
Civil No. 3:98-cv-01664-CCC-GAG (D. P.R.)

Dear David:

As you are aware, the United States is still awaiting Defendant's responses to outstanding discovery requests made at depositions held during the week of April 3, 2006. The same requests were made again by letter dated April 19, 2006. One of these requests concerns the opinion of value that Mr. Juan Piza-Blondet intends to offer at trial. We requested that you provide either (1) an admission that Mr. Piza-Blondet's opinion of value is based entirely on the opinion that will be offered by appraiser Carlos Gaztambide; or (2) a written "computation" of the amount of just compensation demanded by Mr. Piza-Blondet, and the complete basis and reasons therefor.

At Mr. Piza-Blondet's April 6, 2006 deposition, Defense counsel Wayne Mumphy represented to me "off the record" that Mr. Piza-Blondet's testimony regarding the value of the subject property would be the same as Mr. Gaztambide's. To confirm this representation, I orally requested that Defendant provide the United States with a complete computation of Mr. Piza-Blondet's opinion of value to the extent Mr. Piza-Blondet's testimony differs from Mr. Gaztambide's. Furthermore, the United States reserved the right to reopen Mr. Piza-Blondet's deposition if informed that his opinion of value differs from Mr. Gaztambide's.

Additionally, Interrogatory Eight from the United States' First Set of Interrogatories requested "a complete statement of the methodology, facts, assumptions, and calculations used by landowner Juan Piza-Blondet in reaching his opinion of the amount of just compensation owed for the taking of the Subject Property." Defendant's response to Interrogatory Eight stated that "Mr. Piza-Blondet relied upon the Expert opinions of Mr. Carlos Gaztambide and Dr. Joyce to reach an opinion of just compensation owed him for the taking of his property. The value of the property and method of calculation of same is fully set forth in the Expert reports rendered by Mr. Gaztambide and Dr. Joyce."

Frankly, in light of your earlier representations and responses to our interrogatories, I do not understand the delay in responding to our discovery request on this issue. Accordingly, the United States hereby renews its discovery request concerning Mr. Piza-Blondet's opinion of value, and asks that you respond to this request within seven days. If no response is provided by that time, the United States intends to (1) file a Rule 37(a) motion to compel a response to this request and (2) issue a notice of deposition and subpoena duces tecum for Mr. Piza-Blondet so that we may inquire about the opinion of value he intends to offer at trial.

Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

Jeffrey M. Tapick
Trial Attorney

Patel, Gayatri (ENRD)

From: Tapick, Jeffrey (ENRD)
Sent: Friday, May 26, 2006 10:16 AM
To: David Vidrine (dcv1234@cox.net); DVidrine@mumphreylaw.com
Subject: United States v. 33.92356 Acres of Land

Attachments: May 26, 2006 Letter to Vidrine.pdf

David,
Please see the attached letter regarding the United States' discovery requests in this matter. Please let me know if you have any questions or concerns.

Thank you,
Jeff



May 26, 2006
Letter to Vidrine...

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